

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>DANIEL POOLE,</b>	)	
Plaintiff,	)	
	)	Case No. 07 C 6355
v.	)	
	)	<b>JURY DEMAND</b>
	)	
<b>CITY OF BURBANK, <i>et al.</i></b>	)	
Defendants.	)	

**PLAINTIFF'S MOTION FOR AN EXTENSION OF TIME**

Plaintiff Daniel Poole, by and through his plenary guardian James Simpson, and by and through his attorneys Shelly B. Kulwin, Anthony J. Masciopinto and Jeffrey R. Kulwin, KULWIN MASCIOPINTO & KULWIN, L.L.P., and Marvin Bloom, the LAW OFFICE OF MARVIN BLOOM (Plaintiff), respectfully moves this Court for an extension of time until **August 11, 2008** to respond to Defendants' motion to dismiss.

1. By prior court order, Plaintiff's response to Defendants' motion to dismiss is due by July 28, 2008. Plaintiff respectfully requests a fourteen (14) day extension of time until **August 11, 2008** to file Plaintiff's response to Defendants' motion to dismiss.

2. This is Plaintiff's second and final request to extend the time to file his response brief in opposition to Defendants' motion to dismiss.

3. Due to the press of other matters and not for purposes of delay, Plaintiff needs additional time to file his response in opposition to Defendants' motion to dismiss. Specifically, Plaintiff's counsel with primary responsibility for finalizing and filing Plaintiff's response to Defendants' motion to dismiss has been preparing for a trial in the matter of *Sebastian v. City of Chicago et al*, No. 05 C 2077, in the United States District Court for the Northern District of Illinois

before the Honorable Judge Virginia Kendall. Plaintiff's counsel has been preparing the pre-trial materials, which are presently due on July 28, 2008. The trial is scheduled to begin on August 4, 2008.

4. As a result, it will not be possible to file Plaintiff's response to Defendants' motion to dismiss by July 28, 2008. Accordingly, Plaintiff seeks additional time, up to and including **August 11, 2008** to file Plaintiff's response to Defendants' motion to dismiss.

5. The brief extension requested herein will not unduly delay these proceedings and no party will be prejudiced by the relief requested herein. The interest of justice warrants granting this motion.

WHEREFORE, Daniel Poole, by and through his plenary guardian James Simpson, respectfully requests that this Court extend to **August 11, 2008** the date by which Plaintiff must file his response brief in opposition to Defendants' motion to dismiss.

Respectfully submitted,

/s/ Jeffrey R. Kulwin

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